

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE
2004 JUN 16 A 9:27

ANTHONY BAYAD ,

Plaintiff ,

CIVIL ACTION

CASE NO. 04-cv-10468-GAO

JOHN CHAMBERS, PATRICIA
RUSSO, ANTHONY
SAVASTANO and CARL
WIESE,
Defendants ,

PLAINTIFF'S MOTION IN RESPONSE TO DEFENDANT PATRICIA RUSSO
'MOTION TO DISMISS

STATEMENT OF FACT

Defendant Patricia Russo has only filed a notice of appearance on **April 27 , 2004**, that does not refer to the merits of the claim does demonstrate a termination to defend against the claim and will not "**preclude**" the entry of default; **See 10 Moore' Federal Practice, § 55.10[2][c](Matthew bender, 3d ed.)**. Additionally **Entry of Default** severely limits Party as defendant Patricia Russo ' s subsequent participation in action. The most important consequence of the fact that a default is entered (**Rule 55(a)**) is that the defaulting party is [no longer] entitled in the determination of its Liability in the action; **See Dow Chem. Pac. Ltd. V. Rascator Maritime S. A., 782 F.2d 329, 336 (2d Cir. 1986)**.

Plaintiff has moved for an Order Granting Default Judgment against Defendants Chambers et, al. for obstructing a civil, legal proceeding, alter evidence, evade legal process, and obstructing evidence in this Federal proceeding case; and have **failed to answer**, appear or otherwise defend, and the time to otherwise move or plead has **expired** and has **not** been **extended** in this action.

Plaintiff has filed a motion that was made pursuant to District Court of Civil Procedure, Rule 55(b) (2), and is based upon the accompanying Plaintiff 'affidavit of support default forfeiture by wrong doing against Chambers et, al. Attached Exhibits 1, 2, and EX PARTE MOTION FOR DEFAULT JUDGMENT AND AFFIDAVIT OF SUPPORT DEFAULT **AGAINST PATRICIA RUSSO**.

STATEMENT OF INTEREST

Plaintiff respectfully request this honorable court to notify the Justice Department and Massachusetts Bar Association, where Attorneys **Tom Shirley and Lisa Gaulin** are in contempt with the court by intentionally falsifying the date of the court' official documents the Waiver of Summons , and attorneys for Cisco Co-counsel Mark Chandlers and Mark Batten, Where they were instructing their Cisco Employees to obstruct justice by destructing Evidence in this Federal Legal proceeding. Also attached are Exhibits provided by U.S. Securities and Exchange Commission regarding Lucent Technologies Inc., clearly showing what kind of company Defendant **Patricia Russo** and **her friends** are Running, her friends (*Lucent Executives*) including herself (Patricia **Russo**) are in violation of the law and Defendant Patricia

Russo is not running a legal company but an organized a crime company, Lucent Technologies Inc. **Please see also docket tilted** "Patricia Russo in support of Plaintiff to notify the attorney general", Where Chinese Executives are charged with theft (stealing from the share holder 'money and bribe ring foreign official to gain business.

CONCLUSION

The Court having reviewed and considered the Motion for default Judgment against Chambers et, al., the pleading filed and the evidence presented, and being satisfied that the material allegations of the complaint, together with damages, have been proven, now therefore, Plaintiff request the relief of damages sought in his complaint to be granted or as deemed and appropriate by this Court as prescribed of Justice and the law; And **declare defendants in violation of his rights.**

CERTIFICATE OF SERVICE

DATE: June. 16. 2004

I Hereby certify that a true copy of the foregoing document was served on
June 16, 2004, a copy of this document was

SERVED BY HAND ON;

**AVAYA Inc.,
LUCENT TECHNOLOGIES Inc.,
DEFENDANT PATRICIA RUSSO
Lisa Gaulin Esq.
Tom Shirley Esq.
Exchange place
53 State Street
Boston, MA 02109-2804
(617) 2480-5000**

&

**CISCO SYSTEMS Inc.,
DEFENDANTS
JOHN CHAMBERS,
ANTHONY SAVASTANO
CARL WIESE
Mark Batten Esq.
(Lisa Goodherart)
One international Place
Proskauer Rose LLP
Boston, MA 02148**

**ANTHON BAYAD
PLAINTIFF PRO SE
2 MAGOUN AVENUE
MEDFORD, MA 02155
(781) 704-8982**


ANTHONY BAYAD